

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, APRIL 12, 1993  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Mayor Golding adjourned the meeting at 4:15 p.m. to convene in Closed Session at 9:00 a.m. on April 13, 1993, in the 12th floor conference room, to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present  
Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present

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- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Roger Dallman, Prince of Peace Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Roberts.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding elections, stalking laws, and the cross issue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-077.)

ITEM-PC-2:

Comments by Art Salzberg regarding housing facilities for homeless women and children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A078-102.)

ITEM-PC-3: REFERRED TO THE CITY MANAGER

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Comments by Sue Hudson regarding property loss in Golden Hills.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-130.)

ITEM-PC-4:

Comments by Scott Wright regarding a grievance against the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A130-140.)

ITEM-PC-5:

Comments by Thaddeus Kozminski regarding maintenance of golf courses.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A142-169.)

ITEM-PC-6:

Comments by Joe Swanson regarding paint running down the gutter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A175-210.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Wolfsheimer regarding her status relative to a "lame duck."

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A218-248.)

ITEM-CC-2:

Comments by Council Member Behr regarding the First Annual Fourth District Arts & Cultural Festival held this past weekend, and remarks related to his tour of the new facilities for Childrens' Hospital and their care for indigent children.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A249-298.)

ITEM-CC-3:

Comments by Council Member Stevens regarding the First Annual Fourth District Arts & Cultural Festival.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A260-265.)

ITEM-CC-4:

Comments by Council Member Vargas regarding the public comment made by Sue Hudson relative to her property.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A300-302.)

ITEM-30: (R-93-1564) ADOPTED AS RESOLUTION R-281719

Proclaiming the week of April 12, 1993 to be "Chief Bob Burgreen Week" in San Diego in recognition of his faithful and unwavering dedication to the community and its citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A315-434.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

03/15/93  
03/16/93  
03/16/93 Special Joint Meeting  
03/22/93  
03/23/93  
03/23/93 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A303-310.)

MOTION BY WOLFSHEIMER TO APPROVE. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50: (O-93-99 Cor.Copy) ADOPTED AS ORDINANCE O-17904  
(New Series)

Amending Section 5 of Ordinance O-17577, adopted  
January 9, 1991, relating to Pacific Beach Rezoning.  
(Pacific Beach Community Area. District-2. Introduced  
on 3/23/93. Council voted 9-0.)

FILE LOCATION: LAND-Pacific Beach Community

COUNCIL ACTION: (Tape location: A450-582.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Behr. Passed by the following  
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-51:

Two actions relative to the Dixon Project and Baja-Mex  
Insurance Services Project:

(San Ysidro Community Area. District-8. Introduced on  
3/30/93. Council voted 9-0.)

Subitem-A: (O-93-122) ADOPTED AS ORDINANCE O-17905 (New Series)

Rezoning Lots 158-163, San Ysidro, Map-1174, located on the north side of San Ysidro Boulevard, between Cottonwood Road and Smythe Avenue (Dixon Property) to the CSR-2 Zone.

Subitem-B: (O-93-123) ADOPTED AS ORDINANCE O-17906 (New Series)

Amending the San Diego Municipal Code, Chapter X, Article 3, Division 22, Sections 103.2201-103.2205 (San Ysidro Implementing Ordinance) to reflect the expanded area permitting Mexican insurance sales offices and money exchange businesses for the Baja-Mex Project.

FILE LOCATION: LAND-San Ysidro Planned Dist.

COUNCIL ACTION: (Tape location: A450-582.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-52: (O-93-125) ADOPTED AS ORDINANCE O-17907 (New Series)

Authorizing a 99-year lease agreement with AFJR Partnership for a restroom facility in the Gaslamp Quarter Park.  
(Centre City Community Area. District-2. Introduced on 3/23/93. Council voted 9-0.)

FILE LOCATION: LEAS-AFJR Partnership LEAS FY 93-1

COUNCIL ACTION: (Tape location: B005-093.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. CCDC (CENTRE CITY DEVELOPMENT CORPORATION) IS TO FIND FUNDING OTHER THAN THE TOT (TRANSIENT OCCUPANCY TAX) TO FUND THE PROJECT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100: (R-93-1242) ADOPTED AS RESOLUTION R-281720

Awarding a contract to Locator Services, Inc. for furnishing Security Guard Service at the Central Library, as may be required for a period of one year beginning April 1, 1993 through March 31, 1994, for a total estimated cost of \$55,136, with an option to renew the contract for four additional one year periods with price escalations not to exceed 5 percent of the prices in effect at the end of the prior year; in the event the Contractor fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low bidder, and to subsequent bidders, if necessary, until a bidder is found who performs to specifications.  
(BID-B3619/93)

FILE LOCATION: CONT-PURCHASE-Locator Services, Inc.  
CONTFY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101: (R-93-1404) ADOPTED AS RESOLUTION R-281721

Inviting bids for the Structural Repair to Balboa Park Botanical Building on Work Order No. 119807; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$281,986 from San Diego Facility and Equipment Leasing Construction Fund 91101, CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K3700/93)  
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Botanical Building is located in Balboa Park, east of the Museum of Man. The Botanical Building is an open-framed steel structure with wooden lattice work attached to the frames. The structural steel frame has

extensive corrosion due to exposure to the weather and the moist plant environment, resulting from irrigation and is in need of repair.

Aud. Cert. 9300808.

FILE LOCATION: W.O. 119807 CONT - The Augustine Company  
CONT FY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102: (R-93-1405) ADOPTED AS RESOLUTION R-281722

Inviting bids for the Construction of Skyline Community Park Security Lighting on Work Order No. 119938; authorizing the execution of a contract with the lowest responsible bidder; authorizing the transfer of \$17,000 from PSD Fund No. 11690 and \$23,000 from PSD Fund No. 15000, to CIP-29-771.0, Skyline Community Park Security Lighting; authorizing the expenditure of \$102,000 from CIP-29-771.0, Skyline Community Park Security Lighting, \$24,000 from PSD Fund No. 11700, \$38,000 from Skyline Paradise Hills Special Park Fee Fund No. 39089, \$17,000 from PSD Fund No. 11690, and \$23,000 from PSD Fund No. 15000, for the purpose of executing this contract and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K3701/93)  
(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Skyline Community Park is located south of the intersection of Skyline Drive and Sears Avenue in the Skyline Neighborhood. This project will construct pole mounted security lighting. The lighting has been requested by the Southern Area Committee of the Park and Recreation Board. The project was added to the FY 92 CIP on March 16, 1992 by Resolution R-279544.

Aud. Cert. 9300842.

FILE LOCATION: W.O. 119938 CONT - Helpers Electric Co. CONT  
FY93-1



COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103: (R-93-1120) ADOPTED AS RESOLUTION R-281723

Inviting bids for the Construction of Flashing Beacon and Signal Modifications at Black Mountain Road and Park Village Road/Adolphia Street on Work Order No. 112237; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the City Auditor and Comptroller to add to the FY93 Capital Improvement Program CIP-63-016.0, Black Mountain Road and Park Village Road, Intersection Improvements, as approved in the Penasquitos East Public Facilities Financing Plan; authorizing the expenditure of \$80,600 from CIP-63-016.0, Pedestrian Bridge - Black Mountain Road, for providing funds for the project and related costs. (BID-K3667/93M)  
(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install flashing beacons provides for advance warning to the intersection of Black Mountain Road and Park Village Road/Adolphia Street. Traffic signal features include protected left turn movements on Park Village Road and Adolphia Street. The beacon and signal modifications are being installed at the request of the community. This project is being done in lieu of constructing a pedestrian bridge at the intersection.

Aud. Cert. 9300746.

FILE LOCATION: W.O. 112237 CONT - Southwest Traffic Signal Service, Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104: (R-93-1519) ADOPTED AS RESOLUTION R-281724

Authorizing the sale by negotiation of surplus drainage easements in Lots 9 and 10, Black Mountain Ranchos, Unit No. 1, Map-9855 to Gary L. Garcia and Maria B. Garcia, and Daniel Eric Wiedemeir and Judith A. Wiedemeir, for the processing fees; authorizing the execution of a quitclaim deed, quitclaiming to Gary L. Garcia and Maria B. Garcia, and to Daniel Eric Wiedemeir and Judith A. Wiedemeir, those easements; declaring that no broker's commission shall be paid by the City on the negotiated sale.  
(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: An application has been received by the Engineering and Development Department for abandonment of a drainage easement that encumbers property west of I-15, east of Black Mountain Road, south of Carmel Valley Road and north of Carmel Mountain Road in the Penasquitos East area. The easement was acquired by the City of San Diego at no cost by subdivision map. All affected City departments have reviewed the abandonment of this easement and all have concluded there is no present or prospective public need. Also, per Council Policy 600-15 the abandonment has been reviewed by the Rancho Penasquitos Planning Board and they have no objection to the abandonment. Therefore, it is recommended that this easement be abandoned by quitclaim deed.

FILE LOCATION: DEED F-6018 DEED FY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105: (R-93-1422) ADOPTED AS RESOLUTION R-281725

Authorizing the City Manager to request an amendment from the California Coastal Commission to an existing Coastal Development Permit to delete the July 16, 1993 expiration date for the nighttime, gated closure of the parking lots at Ventura Cove, Bahia Point, and Bonita Cove in Mission Bay Park.  
(See City Manager Report CMR-93-63. Mission Bay Park Community Area. District-2.)

COMMITTEE ACTION: Reviewed by PFR on 3/24/93.

Recommendation to approve the City Manager's recommendation to request the amendment for the parking lots at Ventura Cove, Bahia Point and Bonita Cove and direct staff to schedule for Mission Bay Park Committee review within 5 years the issue of the continued need for these gates. Districts 3,6,7,and 8 voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-106: (R-93-1486) ADOPTED AS AMENDED AS RESOLUTION  
R-281726

Authorizing the execution of agreements with the California Department of Transportation (CalTrans) and SANDAG for their proportionate participation in the Multiple Species Conservation Program (MSCP), by their contribution of \$150,000 each;

authorizing the receipt of funds under the provisions of these agreements and the deposit of the funds into Clean Water Program Sewer Fund 41509.

COMMITTEE ACTION: Reviewed by PFR on 3/24/93.

Recommendation to approve the City Manager's recommendation. Districts 3,6,7 and 8 voted yea. District 5 not present.

CITY MANAGER SUPPORTING INFORMATION: Other public sector and private sector organizations will benefit from completion of the Multiple Species Conservation Program (MSCP) plan. Approval of the MSCP plan by the U.S. Fish and Wildlife Service and the California Department of Fish and Game will expedite the process of obtaining permits to construct projects of these organizations on lands containing sensitive habitats and species. Clean Water Program staff have identified organizations most likely to benefit from the MSCP plan and have discussed with those organizations contributions to help pay for the MSCP plan. On July 20, 1992, Council authorized the City Manager to enter into an agreement with the County Water Authority (CWA) and to receive a contribution from CWA of \$250,000. The requested action would authorize similar agreements with CalTrans and with SANDAG for

contributions of \$150,000 each. The combined contributions of \$300,000 would amount to 10 percent of the \$2,987,105 total cost of the 30-month MSCP planning effort. According to Special Terms and Conditions of the proposed agreements, funding by CalTrans and SANDAG would occur upon completion of certain tasks. CalTrans and SANDAG each would receive one copy of all MSCP reports prepared by Ogden Environmental and Energy Services Company (the consultant preparing the MSCP plan) and one complete digital copy of the Geographic Information System (GIS) database developed for the MSCP plan. CalTrans and SANDAG agree not to release any MSCP data to any third party without written concurrence from the City Manager. The City Manager recommends Council approval of these proposed agreements. The funds contributed to the City under the provisions of these agreements would be used to reimburse the Sewer Revenue Fund. The funds would not be used for additional work. Thus, MBE/WBE requirements do not apply and no new local jobs are created.

FILE LOCATION: MEET CONT FY93-2

COUNCIL ACTION: (Tape location: C138-250.)

MOTION BY BEHR TO ADOPT THE ITEM ON THE PROVISION THAT THE FOLLOWING LANGUAGE BE INCLUDED: "THAT SUBJECT TO EXISTING LAW, THAT THESE ENTITIES AGREE NOT TO RELEASE ANY OF THE DATA TO ANY THIRD PARTY." ACCEPT COUNCIL MEMBER McCARTY'S DIRECTION TO STAFF TO BRING TO THE MISSION TRAILS TASK FORCE THOSE LANDS WHICH HAVE BEEN CONTRIBUTED TO MSCP. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107: (R-93-1540) ADOPTED AS RESOLUTION R-281727

Excusing Councilmember Tom Behr from attending the regularly scheduled Council meeting of March 16, 1993, due to an out of town trip for City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108: (R-93-1483) ADOPTED AS RESOLUTION R-281728

Excusing Councilmember Ron Roberts from attending the regularly scheduled Council meeting of Tuesday, March 16, 1993, to attend a meeting with Mexican officials in Mexico City regarding regional airport issues.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109: (R-93-1527) ADOPTED AS RESOLUTION R-281729

Authorizing the City Manager to submit requests to the San Diego Air Pollution Control District for the purpose of funding the City's General Services/Equipment Division Clean Air Project.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Air Pollution Control District is soliciting proposals for vehicle-related emission reduction projects. Selected proposals will be funded with approximately \$3.4 million of revenues generated annually from vehicle registration fees. The District indicates that transportation control measures will be viewed as "first priority" for funding. Proposals must be received by the APCD by April 15, 1993. This action authorizes the City Manager to submit a proposal to the Air Pollution Control District for converting equipment to alternative fuels.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-110: (R-93-1529) ADOPTED AS RESOLUTION R-281730

Authorizing the City Manager to submit a claim to

SANDAG for Transportation Enhancement Activities (TEA) funds; authorizing the City Manager to accept TEA funds to provide for the State Route 52 bicycle path engineering design and final cost estimate.  
(East Elliott, Mission Trails Regional Park and Tierrasanta Community Areas. District-7.)

CITY MANAGER SUPPORTING INFORMATION: One claim for Transportation Enhancement Activities (TEA) funds has been prepared for submittal to SANDAG which administers bikeway funding. Section 1007(c) of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, requires that ten percent of the new Surface Transportation Program funds only be available for transportation enhancement activities which includes bicycle and pedestrian facilities. This resolution authorizes the City Manager to submit a claim and accept funds for the State Route 52 bicycle path engineering design and final cost estimate. Approximately \$6,000,000 is allocated for all jurisdictions within the county for transportation enhancement activities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-107.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-111: (R-93-1492) ADOPTED AS RESOLUTION R-281731

Approving the application for funds for the Transportation Enhancement Activities Program under the Intermodal Surface Transportation Efficiency Act of 1991.  
(See Memorandum from Maureen Stapleton, Redevelopment Agency Assistant Executive Director, dated 3/18/93. Centre City Community Area. District 2.)

COMMITTEE ACTION: Reviewed by TLU on 3/17/93.

Recommendation to approve the list submitted by the Redevelopment Agency. Districts 1,2, and 6 voted yea. Districts 5 and 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C109-174.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-112: (R-93-1522) ADOPTED AS RESOLUTION R-281732

Authorizing the City Manager to accept a Fuel Efficient Traffic Signal Management grant from the California Department of Transportation in the amount of \$114,000 for a traffic signal optimization project; authorizing the execution of an agreement with the California Department of Transportation stating that the City will retime 114 traffic signals in eight project areas in accordance with the Fuel Efficient Traffic Signal Management guidelines; authorizing the execution of an agreement with ASL Consulting Engineers in the amount of \$55,000 to provide consulting services for the collection of manual traffic count data as part of the 1993 Fuel Efficient Traffic Signal Management Program; authorizing the City Auditor and Comptroller to establish Capital Outlay Grant Fund No. 38522, 1993 Fuel Efficient Traffic Signal Management Program; modifying the FY 1993 Capital Improvements Program by adding CIP-68-014.0, 1993 Fuel Efficient Traffic Signal Management Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$114,000 from Capital Outlay Grant Fund No. 38522 to CIP-68-014.0; authorizing the expenditure of an amount not to exceed \$114,000 from CIP-68-014.0, for the purpose of providing funds for the above project.

(Carmel Mountain Ranch, Carmel Valley, Clairemont Mesa, Encanto, Greater North Park, Midway, Otay Mesa-Nestor, Uptown, and Valencia Park Community Areas. Districts-1, 2, 3, 4, 5, 6 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The City was awarded a \$114,000 1993 Fuel Efficient Traffic Signal Management (FETSIM) grant from the California Department of Transportation to retime 114 traffic signals in eight project areas: Carmel Mountain Road, Clairemont Mesa Boulevard, Coronado Avenue, Del Mar Heights Road, Hillcrest, Imperial Avenue, North Park, and Sports Arena Boulevard. The grant award includes the cost of a traffic engineering consultant to collect manual traffic count data. ASL Consulting Engineers was selected as the prime consultant for the

services. ASL will manage the work from its San Diego office and is teamed with Wiltec, an MBE firm, and G.E. Traffic Surveys, a WBE firm. This consulting contract has 49 percent MBE participation and 13 percent WBE participation.

Aud. Cert. 9300891.

FILE LOCATION: MEET CONT FY93-1; CCONT FY93-1

COUNCIL ACTION: (Tape location: A461-469; C536-632.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113: (R-93-1476) ADOPTED AS RESOLUTION R-281733

Authorizing the City Manager to deposit monthly rents from the former Vollmer Life Estate on Sunset Cliffs Natural Park into the trust account of Fund No. 63034, to be used exclusively for the benefit of the park and to be deposited only during the period pending adoption of the Master Plan for the park.  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action will authorize the City Manager to deposit rents received from the former Vollmer Life Estate on Sunset Cliffs Natural Park into a trust account to be used exclusively to benefit Sunset Cliffs Natural Park. The Vollmer Life Estate reverted to the City on December 21, 1992. When the former Dixon Life Estate on Sunset Cliffs Natural Park reverted to the City in early 1992, City Council authorized a trust account to be set up to receive those rents to be used solely to benefit Sunset Cliffs Natural Park. The rents from the former Vollmer life estate will be deposited in that same account. Both the Dixon and Vollmer rents will be deposited in the trust account only until adoption of a Master Plan for the park, which is currently underway. These rents can be used to assist in completing the master plan document and associated environmental review.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114: (R-93-1503) ADOPTED AS RESOLUTION R-281734

A Resolution approved by the City Council in Closed Session on Tuesday, March 16, 1993 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-yea; Stevens-yea; Behr-not present; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to retain the law firm of Brown, Diven and Hentschke as counsel for certain litigation matters involving Garcia v. City of San Diego, et al.; Goertz, et al v. City of San Diego, et al.; authorizing the City Auditor and Comptroller to set aside and expend an amount not to exceed \$5,000 from Public Liability Fund No. 81140, Object Account No. 4141, Job Order No. 081141 for the purpose of defraying legal fees and costs incurred by counsel.

Aud. Cert. 9300902.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

Two actions relative to Sewer Pump Station No. 5:  
(Barrio Logan/Harbor 101 Community Area. District-8.)

Subitem-A: (R-93-1433) ADOPTED AS RESOLUTION R-281735

Authorizing the execution of a second amendment to the agreement of May 30, 1989 with Dudek and Associates, Inc. for engineering design services required for replacement of Sewer Pump Station No. 5; authorizing the expenditure of an amount not to exceed \$19,977, consisting of \$18,437 for Phase II final design and \$1,540 for additional services, from CIP-46-106.0,

Sewer Revenue Fund No. 41506, to provide funds for the above project.

Subitem-B: (R-93-1434) ADOPTED AS RESOLUTION R-281736

Authorizing the execution of an agreement with SOTA Environmental Technologies, Inc. for professional services for replacement of Sewer Pump Station No. 5; authorizing the expenditure of an amount not to exceed \$49,900, consisting of \$42,000 for Phases 1-5 and \$7,900 for additional services, from CIP-46-106.0, to provide funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: Sewer Pump Station No. 5 is located in the Barrio Logan area along Harbor Drive, a block north of Crosby Street. It was constructed in 1942 and is past its expected service life. On May 30, 1989, an agreement was entered into with Dudek and Associates, Inc., Document No. RR-273590, to provide professional engineering services for the design of the replacement of Sewer Pump Station No. 5. The second amendment will provide funds for the completion of design. Over the years, changes in the Uniform Building Code and Standard Specifications for Construction Contracts caused changes to the structural and electrical design, and the contract documents. Minor sanitary sewer modifications were also needed. The cost for these design fees is \$19,977. Sewer Pump Station No. 5 is situated approximately 400 feet from a site known to have contaminated groundwater. We wish to enter into an agreement with SOTA Environmental Technologies, Inc. to evaluate the potential for drawing contamination into our dewatering system during construction. Other services provided are assisting the City with obtaining local and state permits for discharging groundwater during construction; and determining if the acquired property has soil contamination; and providing a plan to stop the movement of contaminated groundwater during construction dewatering, if required. The minority subconsultants (MBE) to Dudek and Associates for the second amendment with their percentage of the contract are: Mark Balan and Associates, 27.1 percent, and Universal Structures, 9.1 percent. The first amendment to the contract awarded 15 percent of the contract to Universal Structures. The original contract awarded 10.5 percent of the contract to Mark Balan and Associates. For the agreement with SOTA Environmental Technology, Inc. the prime consultant is 100 percent MBE, and no subconsultants are WBE/MBE.

Aud. Certs. 9300815, 9300816.  
WU-U-93-068.

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FILE LOCATION: MEET CCONT FY93-2

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116: (R-93-1511) ADOPTED AS RESOLUTION R-281737

Authorizing the execution of an agreement with Fraser Engineering, Inc., for design services in connection with Pump Station No. 4; authorizing the expenditure of an amount not to exceed \$139,678 from Sewer Revenue Fund 41506, CIP-46-106.0, Annual Allocation, Pump Station Restoration, to provide funds for the above project; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, if circumstances so warrant.  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Located in the Peninsula community area on Carleton Street, Sewer Pump Station No. 4 had provided sewer service to some 850 acres of City and Navy lands for over 60 years. Having noted severe deterioration in both the pumping equipment and the existing structure, the determination had been made that the entire station be redesigned and constructed. In May 1990, the City entered into an agreement with Fraser Engineering, Inc., a WBE firm, to provide engineering services for the replacement of Sewer Pump Station No. 4. At the 30 percent design phase, a conflict with an existing SDG&E transformer was discovered. Due to the physical limitations of the site, a new smaller pump station design was recommended to avoid the conflict. This necessitates initiating a new contract with Fraser Engineering, Inc. to address the problems encountered and provide a new pre-design report utilizing a submersible pump within the existing site. Subconsultants for Fraser Engineering, Inc. will be Robert Hendershot & Associates, 13.9 percent of the contract; Mark Balan & Associates (MBE) 11.9 percent of the contract; A.S.L. Consultants 2.2 percent of the contract; and Shinge Issacs 0.5 percent of the contract.

Aud. Cert. 9300867.  
WU-U-93-061.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117: (R-93-1499) CONTINUED TO APRIL 26, 1993

Authorizing the execution of an agreement with NCR Corporation, for construction of two traffic signals at the intersection of Via Del Campo and West Bernardo Drive and at the intersection of Via Del Campo and Via Del Campo Court; authorizing the expenditure of an amount not to exceed \$50,000 from Development Impact Fee (D.I.F.) Fund 39056 for construction of the traffic signal at the intersection of Via Del Campo and West Bernardo Drive.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Condition No. 35 of the Manufacturing Industrial Park Permit MIP-91-0831 requires the construction and completion of a traffic signal at the intersection of Via Del Campo and West Bernardo Drive prior to issuance of a certificate of occupancy for the property. Developer is entitled to a 50 percent reimbursement of the traffic signal cost by the City, not to exceed \$50,000. Condition No. 35 also requires that the developer contribute 50 percent of the design and construction costs for a signal at Via Del Campo and Via Del Campo Court when the City decides to build this traffic signal. It is recommended that the City enter into a participation agreement with the developer to complete the above mentioned improvements for a cost not to exceed \$50,000.

Aud. Cert. 9300846.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO CONTINUE THE ITEM TWO WEEKS AS REQUESTED BY COUNCIL MEMBER BEHR FOR FURTHER REVIEW OF THE MATTER. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

Two actions relative to the San Pasqual Water  
Reclamation Facility, Contract No. 1, Change Order  
Request No. 8:  
(San Pasqual Valley Community Area. District-5.)

Subitem-A: (R-93-1512) ADOPTED AS RESOLUTION R-281738

Approving Change Order No. 8, dated September 23, 1992, issued in connection with the contract with Western Summit Constructors, Inc., amounting to a net increase in the contract price of \$153,230; authorizing the City Auditor and Comptroller to transfer \$76,615 from CIP-46-158.0, Mission Bay Sewage Interceptor System, into CIP-46-151.0, San Pasqual Water Reclamation Facility, and \$76,615 from CIP-73-249.0, South San Diego Pipeline No. 2, into CIP-73-290.0, San Pasqual Water Reclamation Facility; authorizing the expenditure of an amount not to exceed \$153,230, consisting of \$76,615 from CIP-73-290.0, San Pasqual Water Reclamation Facility, and \$76,615 from CIP-46-151.0, San Pasqual Water Reclamation Facility, to fund this change order.

Subitem-B: (R-93-1513) ADOPTED AS RESOLUTION R-281739

Stating for the record that the information contained in DEP-87-0750 and DEP-89-0344, including any comments received during the public review process, has been reviewed and considered by the Council in connection with the San Pasqual Water Reclamation Facility.

CITY MANAGER SUPPORTING INFORMATION: On June 27, 1988, the Council conceptually approved relocation of the Total Resource Recovery Program (Aquaculture Plant) to the San Pasqual Valley. The engineering consultant, Black and Veatch, has prepared complete plans and specifications for the construction of the San Pasqual Water Reclamation Facilities to accomplish this relocation. The Total Resource Recovery Program is an experimental, one million gallons per day (1MGD) facility, and this construction contract is based on this flow rate. Contract No. 1 is for construction of the treatment plant in San Pasqual Valley, including aquatic ponds for secondary treatment, and sand filtration, reverse osmosis, air stripping and granular activated carbon for advanced treatment. Construction on the facility began in April of 1992. During excavation of the main channel at the base of a hill on the west side of the project site, several culturally significant artifacts were discovered. Further work

along the base of this hill would disturb additional cultural resource sites. The cost to research, record and mitigate this site is expected to exceed the cost of avoiding this sensitive area completely by relocating an access road and two pipelines. Furthermore, the resource sites and native vegetation would be lost. Change Order No. 8 is for the redesign of the access road and realignment of the pipelines to avoid incurring additional environmental mitigation costs. The access road and two pipelines were part of Contract No. 2 for this project. A Contract No. 2 Change Order to delete this access road and piping is forthcoming as a similar net decrease in cost.

Aud. Cert. 9300909.  
WU-U-93-087.

FILE LOCATION: CONT-Western Summit Constructors, Inc.  
CONTFY93-1

COUNCIL ACTION: (Tape location: A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-119: (R-93-1531 Cor.Copy) ADOPTED AS AMENDED AS  
RESOLUTION R-281740

Authorizing the City Manager to submit applications to SANDAG to accept Local Transportation Funds (LTF) and/or TransNet funds to provide for the following 27 proposed bicycle projects: 1) Adams Avenue; 2) Beyer Boulevard; 3) Bicycle Safety and Encouragement Program; 4) Calle Cristobal; 5) Camino Ruiz; 6) Camino Santa Fe; 7) Chatsworth Boulevard/Lytton Street; 8) College Avenue; 9) College Grove Drive; 10) Cross-Downtown Bikeway; 11) Fay Avenue Bikeway Feasibility Study; 12) Grand Avenue/Mission Bay Drive; 13) Lake Hodges Bikeway Access; 14) Murray Ridge Road/Phyllis Place; 15) Nobel Drive; 16) Ocean Beach Bicycle Path Extension; 17) Ocean Front Walk Feasibility; 18) Old Town to Downtown; 19) Paradise Valley Road; 20) Perez Cove Way; 21) Regents Road; 22) Sandrock Road; 23) San Pasqual Bicycle Path; 24) San Ysidro/Camino del la Plaza/I-5; 25) State Route 15 Final Design Study; 26) University Heights/Uptown District and Downtown Bikeways; and 27) Upas Street/Morley Park Drive.  
(City-wide.)

CITY MANAGER SUPPORTING INFORMATION: Twenty-seven (27) claims for Local Transportation Funds (LTF) and TransNet funds have been prepared for submittal to SANDAG which administers bikeway funding. Legislation provides that two percent of LTF may be utilized for the construction of bicycle facilities and that a total of \$1,000,000 in TransNet funds may be used for bicycle facility improvements. These funds are made available to cities and the county based on an area-wide priority list of such facilities approved annually by the SANDAG Board of Directors.

This resolution authorizes the City Manager to submit claims and accept funds for the 27 projects listed above. Approximately \$2,200,000 is allocated for all jurisdictions within the county for bicycle projects. On March 18, 1993, the Park and Recreation Board voted unanimously as follows: "Urge the City Council to strongly support the grant application for State transportation funds to: a) study the impacts to public safety of widening Ocean Front Walk boardwalk; and b) if the safety study determines that widening will improve public safety, develop alternative engineering conceptual plans and associated cost estimates to widen Ocean Front Walk boardwalk."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B423-C070.)

MOTION BY ROBERTS TO ADOPT AS AMENDED, APPROVING ALL THE PROJECTS WITH THE EXCEPTION OF NO. 17. DIRECT THAT THAT PORTION BE REFERRED TO PF&R FOR REVIEW. STAFF IS TO REQUEST A DELAY ON THE PART OF SANDAG (RELATIVE TO FUNDING OF PROJECT NO. 17). Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: (R-93-1563) ADOPTED AS RESOLUTION R-281741

Expressing desire to be a Sister City to Tijuana and accepting the invitation of the Mayor of Tijuana, the Honorable Hector Osuna Jaime, to seek Sister City affiliation together.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B178-410.)

MOTION BY VARGAS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-201:

Three actions relative to the Old Town Trolley Project:  
(See City Manager Report CMR-93-88. Old Town Community  
Area. Dist-2.)

Subitem-A: (R-93-1484) ADOPTED AS RESOLUTION R-281742

Requesting the Metropolitan Transit Development Board  
(MTDB) Joint Powers Authority, to issue bonds in an  
amount not to exceed \$25 million.

Subitem-B: (R-93-1471) ADOPTED AS RESOLUTION R-281743

Authorizing the execution of an agreement with Rauscher  
Pierce Refsnes, Inc., and Henderson Capital Partners,  
Inc., to provide financial advisory services to the Old  
Town Trolley project; authorizing the expenditure of an  
amount not to exceed \$45,000 from the Trolley Extension  
Reserve, which will be reimbursed from proceeds of the  
sale of bonds.

Subitem-C: (R-93-1485) ADOPTED AS RESOLUTION R-281744

Confirming the Mayor's appointment of two  
Councilmembers to serve as Directors on the  
Metropolitan Transit Development Board (MTDB) Joint  
Powers Authority Board.

Aud. Cert. 9300782.

FILE LOCATION: MEET CONT FY93-2

COUNCIL ACTION: (Tape location: C252-343.)

MOTION BY ROBERTS TO ADOPT, APPROVING EACH OF THE THREE  
PARTS (SUBITEMS A,B,C) INCLUDING ESTABLISHING THE JOINT  
POWERS AUTHORITY TO ISSUE THE BONDS NOT TO EXCEED \$25  
MILLION; APPROVE THE AGREEMENT TO HIRE THE FINANCIAL ADVISOR  
AS RECOMMENDED; CONFIRM THE APPOINTMENTS OF COUNCIL MEMBERS  
ROBERTS AND STALLINGS, AS NOMINATED BY MAYOR GOLDING, TO THE  
JOINT POWERS AUTHORITY BOARD. Second by Vargas. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.



ITEM-202: (R-93-1360 Rev.1) ADOPTED AS AMENDED AS RESOLUTION

Finding that an extension of the three-year period for filing a final map is necessary and appropriate to allow a tolling of time for filing final maps in the Otay Mesa Area;

Declaring that the City Manager, upon written request from the holder of an approved tentative map, may extend the time period following the approval of a tentative map, within which a final map must be filed, for up to 36 months from July 1, 1992, or until a final determination by the City Council as to whether or not to proceed with the development of a new airport ("twinports") on Otay Mesa, whichever date or event first occurs;

Declaring that upon expiration of the time extension, the time period for filing a final map shall be the balance of time that existed on July 1, 1992, but not less than 120 days.

(Otay Mesa Community Area. District-8.)

SUPPORTING INFORMATION: There are property owners in the Otay Mesa area who have received approvals for their tentative subdivision maps. Under the Subdivision Map Act and the City's Municipal Code it is required that the final map be filed within three years after the date of approval of the tentative map. The property owners are hesitant to proceed with the expenditures necessary to submit final maps and construct infrastructure because of the uncertain status of the "twinports" proposal. It appears appropriate to allow the property owners to delay processing final maps pending a decision on the twinports concept.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C071-130.)

MOTION BY BEHR TO ADOPT AS AMENDED TO INCLUDE PAUL PETERSON'S PROJECT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: (R-93-1406) ADOPTED AS RESOLUTION R-281746

Accepting the low base bid in the amount of \$3,481,400 and awarding a contract to R.E. Hazard Contracting Co. for North City Water Reclamation Plant initial site preparation; authorizing the transfer of \$133,805 from Clean Water Program Sewer Fund 41509, CIP-40-920.0, Rose Canyon Trunk Sewer, to CIP-42-910.1, North City Water Reclamation Plant; authorizing the expenditure of \$4,684,440 from CIP-42-910.1, Clean Water Program Sewer Fund 41509, \$3,829,540 of this from previously unfunded budgeted funds, for the project and related costs.  
(BID-K3526/93)

(University Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The design of the North City Water Reclamation Plant (NCWRP) was approved by the City Council in October 1991. The design was completed on February 25, 1993. This plant will provide 30 million gallons per day (mgd) of reclaimed water during the first phase (by the year 1997) and ultimately 45 mgd during the second phase (between the years 2010 and 2020). This plant will also provide additional sewage treatment capacity to the Metropolitan Sewerage System. The NCWRP is a part of the Consumers' Alternative and the Consent Decree. The budgeted construction cost for the entire project is \$166 million. To maximize the local contractors' participation and provide opportunities to local construction firms including MBE/WBE contractors, the construction of the NCWRP will be divided into 15 packages ranging from approximately \$4.0 million to \$30 million. The initial site preparation is the first of a total of 15 construction packages. The Environmental Impact Report was certified and the Mitigation Monitoring and Reporting Program was adopted by Council Resolution R-281435, dated February 2, 1993. By Council Resolution R-281226, dated December 8, 1992, the Initial Site Preparation was approved and the Purchasing Agent was authorized to advertise for bids. A total of 15 bids were received and were opened on February 25, 1993. A San Diego contractor, R.E. Hazard, was the lowest responsible bidder. The MBE/WBE participation goals for this agreement are 20% MBE and 7% WBE. The MBE/WBE participation for this contract is 14.9% MBE and 8.6% WBE. The total number of local jobs created by this contract are 77.

Aud. Cert. 9300886.

FILE LOCATION: CONT-R.E. Hazard Contracting Co. CONT FY93-1

COUNCIL ACTION: (Tape location: C346-398.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: (R-93-1401) ADOPTED AS RESOLUTION R-281747

Continued from the meeting of March 22, 1993, Item 103, at the City Manager's request, for further review.)

Authorizing the City Manager to change and modify the improvements for the Calle Cristobal Assessment District No. 4013 to include construction of a traffic signal at Calle Cristobal and Camino Santa Fe; inviting bids for construction of the traffic signal on Work Order No. 137008; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$144,900 from Fund No. 79374, Calle Cristobal Assessment District, for said project and related costs.

(BID-K3682/93)

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 23, 1989, Council established the Calle Cristobal Assessment District for the purpose of financing public improvements to Calle Cristobal, Sorrento Valley Boulevard, and Camino Santa Fe in the Mira Mesa community. The improvements funded by the assessment district included the design and construction of roadways, bridges, flood control facilities, traffic signals, street lights, underground utilities, and landscaping. These improvements were completed by the district's private developers and subsequently acquired by the City through assessment proceedings. When the improvement plans were prepared, signalization of the Calle Cristobal and Camino Santa Fe intersection was inadvertently omitted from the design effort. As a result, the assessment Engineer's Report did not identify this portion of work in the description of improvements to be constructed by the district. This Council action would authorize a change and modification in the description of improvements to include the traffic signal work. Signalization of the intersection is considered to be of direct benefit to properties within the assessment district. The traffic signal would provide for the orderly movement of emergency equipment, pedestrians, and vehicles through the intersection. Traffic signal features include emergency vehicle preemption equipment. In November of 1991, this traffic signal

was identified as a needed circulation element and designated as a priority project.

Aud. Cert. 9300807.

FILE LOCATION:           STRT D-2258       CONT FY93-1

COUNCIL ACTION:       (Tape location:   A450-583.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

(Continued from the meeting of March 22, 1993, Item 109, at the City Manager's request, for further review.)

Three actions relative to Calle Cristobal Assessment District No. 4013 - Assessment Reapportionment:  
(Mira Mesa Community Area. District-5.)

Subitem-A:   (R-93-1396)       ADOPTED AS RESOLUTION R-281748

Authorizing the execution of an agreement with Willdan Associates Inc., for assessment engineering services to reapportion assessments; authorizing the expenditure of an amount not to exceed \$7,500 from Fund 79375, for the purpose of providing funds for the above project.

Subitem-B:   (R-93-1397)       ADOPTED AS RESOLUTION R-281749

Authorizing the execution of a reimbursement agreement with the Fieldstone Company; authorizing the City Auditor and Comptroller to establish the Calle Cristobal Assessment Reapportionment Fund; authorizing the City Manager to accept a cash advance of \$26,000 from the Fieldstone Company for the purpose of funding the Calle Cristobal Assessment Reapportionment.

Subitem-C:   (R-93-1398)       ADOPTED AS RESOLUTION R-281750

Authorizing the execution of an agreement with F. MacKenzie Brown, for special bond counsel services; authorizing the expenditure of an amount not to exceed \$10,000 from Fund 79375, for the purpose of providing

funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On May 23, 1989, City Council confirmed assessments and established the Calle Cristobal Assessment District. These assessments were based on the Engineer's Final Report for the district which used existing land development information to equally distribute the public improvement costs to benefitting properties. This included final maps, tentative maps, preliminary site plans and community planning information available at the time the district was formed. Subsequent to the formation of the assessment district, one property owner, the Fieldstone Company, filed final maps for Canyon Country West which differed from their original development plan. This revised development has changed the density and composition of dwelling units which resulted in unequal assessments being placed on property purchased from Fieldstone by individual home owners. The Fieldstone Company has now requested a reapportionment of the assessment liens which were originally placed on parcels within the Canyon Country West Subdivision. This Council action will authorize the Assessment Engineer to proceed with changes and modifications to the Final Engineer's Report and authorize the Special Bond Counsel to provide legal expertise regarding these assessment modifications. Council approval of the modified Engineer's Report would be required prior to scheduling a public hearing to confirm the reapportioned assessments. The proposed reapportionments will only apply to property in the Canyon Country West Subdivision and will not affect other property assessments in the district.

Aud. Cert. 9300794.

FILE LOCATION: STRT D-2258 CONT FY93-2; CCONT FY93-1

COUNCIL ACTION: (Tape location: C406-510.)

MOTION BY BEHR TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: (O-93-112) ADOPTED AS ORDINANCE O-17908 (New Series)

Authorizing the execution of a 10-year Master Lease Agreement with Koch Financial for three and four year lease terms and GE Capital Public Finance for five and seven year lease terms, to provide for the financing of certain City equipment.

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(See City Manager Report CMR-93-16. Introduced on  
3/29/93. Council voted 9-0.)

FILE LOCATION: LEAS-Koch Financial and GE Capital Public  
Finance LEAS FY93-2

COUNCIL ACTION: (Tape location: C514-535.)

Hearing began at 4:08 p.m. and halted at 4:09 p.m.

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT.  
Second by McCarty. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea,  
Mayor Golding-yea.

**NON-DOCKET ITEMS:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Golding at 4:15 p.m. in  
honor of the memory of James Farrell as requested by Council  
Member Hartley.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C635-660).